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1 AMENDMENT TO HOUSE BILL 632

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 632 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 7-43, 10-3, and 10-6 as follows:

6 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

7 Sec. 7-43. Every person having resided in this State 6  
8 months and in the precinct 30 days next preceding any primary  
9 therein who shall be a citizen of the United States of the age  
10 of 18 or more years, shall be entitled to vote at such primary.

11 The following regulations shall be applicable to  
12 primaries:

13 No person shall be entitled to vote at a primary:

14 (a) Unless he declares his party affiliations as required  
15 by this Article.

16 (b) (Blank.) ~~Who shall have signed the petition for~~

1 ~~nomination of a candidate of any party with which he does not~~  
2 ~~affiliate, when such candidate is to be voted for at the~~  
3 ~~primary.~~

4 (c) (Blank.) ~~Who shall have signed the nominating papers of~~  
5 ~~an independent candidate for any office for which office~~  
6 ~~candidates for nomination are to be voted for at such primary.~~

7 (c.5) If that person has participated in the town political  
8 party caucus, under Section 45-50 of the Township Code, of  
9 another political party by signing an affidavit of voters  
10 attending the caucus within 45 days before the first day of the  
11 calendar month in which the primary is held.

12 (d) (Blank.) ~~If he has voted at a primary held under this~~  
13 ~~Article 7 of another political party within a period of 23~~  
14 ~~calendar months next preceding the calendar month in which such~~  
15 ~~primary is held: Provided, participation by a primary elector~~  
16 ~~in a primary of a political party which, under the provisions~~  
17 ~~of Section 7 2 of this Article, is a political party within a~~  
18 ~~city, village or incorporated town or town only and entitled~~  
19 ~~hereunder to make nominations of candidates for city, village~~  
20 ~~or incorporated town or town offices only, and for no other~~  
21 ~~office or offices, shall not disqualify such primary elector~~  
22 ~~from participating in other primaries of his party: And,~~  
23 ~~provided, that no qualified voter shall be precluded from~~  
24 ~~participating in the primary of any purely city, village or~~  
25 ~~incorporated town or town political party under the provisions~~  
26 ~~of Section 7 2 of this Article by reason of such voter having~~

1 ~~voted at the primary of another political party within a period~~  
2 ~~of 23 calendar months next preceding the calendar month in~~  
3 ~~which he seeks to participate is held.~~

4 (e) In cities, villages and incorporated towns having a  
5 board of election commissioners only voters registered as  
6 provided by Article 6 of this Act shall be entitled to vote at  
7 such primary.

8 (f) No person shall be entitled to vote at a primary unless  
9 he is registered under the provisions of Articles 4, 5 or 6 of  
10 this Act, when his registration is required by any of said  
11 Articles to entitle him to vote at the election with reference  
12 to which the primary is held.

13 (Source: P.A. 89-331, eff. 8-17-95.)

14 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

15 Sec. 10-3. Nomination of independent candidates (not  
16 candidates of any political party), for any office to be filled  
17 by the voters of the State at large may also be made by  
18 nomination papers signed in the aggregate for each candidate by  
19 1% of the number of voters who voted in the next preceding  
20 Statewide general election or 25,000 qualified voters of the  
21 State, whichever is less. Nominations of independent  
22 candidates for public office within any district or political  
23 subdivision less than the State, may be made by nomination  
24 papers signed in the aggregate for each candidate by qualified  
25 voters of such district, or political subdivision, equaling not

1 less than 5%, nor more than 8% (or 50 more than the minimum,  
2 whichever is greater) of the number of persons, who voted at  
3 the next preceding regular election in such district or  
4 political subdivision in which such district or political  
5 subdivision voted as a unit for the election of officers to  
6 serve its respective territorial area, ~~except that independent~~  
7 ~~candidates for the General Assembly shall require not less than~~  
8 ~~10%, nor more than 16% of the number of persons who voted at~~  
9 ~~the next preceding general election in such district or~~  
10 ~~political subdivision in which such district or political~~  
11 ~~subdivision voted as a unit for the election of officers to~~  
12 ~~serve its respective territorial area.~~ However, whenever the  
13 minimum signature requirement for an independent candidate  
14 petition for a district or political subdivision office shall  
15 exceed the minimum number of signatures for an independent  
16 candidate petition for an office to be filled by the voters of  
17 the State at large at the next preceding State-wide general  
18 election, such State-wide petition signature requirement shall  
19 be the minimum for an independent candidate petition for such  
20 district or political subdivision office. For the first  
21 election following a redistricting of congressional districts,  
22 nomination papers for an independent candidate for congressman  
23 shall be signed by at least 5,000 qualified voters of the  
24 congressional district. For the first election following a  
25 redistricting of legislative districts, nomination papers for  
26 an independent candidate for State Senator in the General

1 Assembly shall be signed by at least 3,000 qualified voters of  
2 the legislative district. For the first election following a  
3 redistricting of representative districts, nomination papers  
4 for an independent candidate for State Representative in the  
5 General Assembly shall be signed by at least 1,500 qualified  
6 voters of the representative district. For the first election  
7 following redistricting of county board districts, or of  
8 municipal wards or districts, or for the first election  
9 following the initial establishment of such districts or wards  
10 in a county or municipality, nomination papers for an  
11 independent candidate for county board member, or for alderman  
12 or trustee of such municipality, shall be signed by qualified  
13 voters of the district or ward equal to not less than 5% nor  
14 more than 8% (or 50 more than the minimum, whichever is  
15 greater) of the total number of votes cast at the preceding  
16 general or general municipal election, as the case may be, for  
17 the county or municipal office voted on throughout such county  
18 or municipality for which the greatest total number of votes  
19 were cast for all candidates, divided by the number of  
20 districts or wards, but in any event not less than 25 qualified  
21 voters of the district or ward. Each voter signing a nomination  
22 paper shall add to his signature his place of residence, and  
23 each voter may subscribe to one nomination for such office to  
24 be filled, and no more: Provided that the name of any candidate  
25 whose name may appear in any other place upon the ballot shall  
26 not be so added by petition for the same office.

1           The person circulating the petition, or the candidate on  
2 whose behalf the petition is circulated, may strike any  
3 signature from the petition, provided that;

4           (1) the person striking the signature shall initial the  
5 petition at the place where the signature is struck; and

6           (2) the person striking the signature shall sign a  
7 certification listing the page number and line number of  
8 each signature struck from the petition. Such  
9 certification shall be filed as a part of the petition.

10           (3) the persons striking signatures from the petition  
11 shall each sign an additional certificate specifying the  
12 number of certification pages listing stricken signatures  
13 which are attached to the petition and the page numbers  
14 indicated on such certifications. The certificate shall be  
15 filed as a part of the petition, shall be numbered, and  
16 shall be attached immediately following the last page of  
17 voters' signatures and before the certifications of  
18 stricken signatures.

19           (4) all of the foregoing requirements shall be  
20 necessary to effect a valid striking of any signature. The  
21 provisions of this Section authorizing the striking of  
22 signatures shall not impose any criminal liability on any  
23 person so authorized for signatures which may be  
24 fraudulent.

25           In the case of the offices of Governor and Lieutenant  
26 Governor a joint petition including one candidate for each of

1 those offices must be filed.

2 ~~Every petition for nomination of an independent candidate~~  
3 ~~for any office for which candidates of established political~~  
4 ~~parties are nominated at the general primary shall be filed~~  
5 ~~within the time designated in Section 7-12 of this Act in~~  
6 ~~regard to nomination at the general primary of any other~~  
7 ~~candidate for such office.~~

8 A candidate for whom a nomination paper has been filed as a  
9 partisan candidate at a primary election, and who is defeated  
10 for his or her nomination at the primary election, is  
11 ineligible to be placed on the ballot as an independent  
12 candidate for election in that general or consolidated  
13 election.

14 A candidate seeking election to an office for which  
15 candidates of political parties are nominated by caucus who is  
16 a participant in the caucus and who is defeated for his or her  
17 nomination at such caucus, is ineligible to be listed on the  
18 ballot at that general or consolidated election as an  
19 independent candidate.

20 (Source: P.A. 86-867; 86-875; 86-1028; 86-1348.)

21 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

22 Sec. 10-6. Time and manner of filing. Certificates ~~Except~~  
23 ~~as provided in Section 10-3, certificates~~ of nomination and  
24 nomination papers for the nomination of candidates for offices  
25 to be filled by electors of the entire State, or any district

1 not entirely within a county, or for congressional, state  
2 legislative or judicial offices, shall be presented to the  
3 principal office of the State Board of Elections not more than  
4 141 nor less than 134 days previous to the day of election for  
5 which the candidates are nominated. The State Board of  
6 Elections shall endorse the certificates of nomination or  
7 nomination papers, as the case may be, and the date and hour of  
8 presentment to it. Except as otherwise provided in this  
9 section, all other certificates for the nomination of  
10 candidates shall be filed with the county clerk of the  
11 respective counties not more than 141 but at least 134 days  
12 previous to the day of such election. Certificates of  
13 nomination and nomination papers for the nomination of  
14 candidates for the offices of political subdivisions to be  
15 filled at regular elections other than the general election  
16 shall be filed with the local election official of such  
17 subdivision:

18 (1) (Blank);

19 (2) not more than 78 nor less than 71 days prior to the  
20 consolidated election; or

21 (3) not more than 78 nor less than 71 days prior to the  
22 general primary in the case of municipal offices to be  
23 filled at the general primary election; or

24 (4) not more than 78 nor less than 71 days before the  
25 consolidated primary in the case of municipal offices to be  
26 elected on a nonpartisan basis pursuant to law (including

1 without limitation, those municipal offices subject to  
2 Articles 4 and 5 of the Municipal Code); or

3 (5) not more than 78 nor less than 71 days before the  
4 municipal primary in even numbered years for such  
5 nonpartisan municipal offices where annual elections are  
6 provided; or

7 (6) in the case of petitions for the office of  
8 multi-township assessor, such petitions shall be filed  
9 with the election authority not more than 78 nor less than  
10 71 days before the consolidated election.

11 However, where a political subdivision's boundaries are  
12 co-extensive with or are entirely within the jurisdiction of a  
13 municipal board of election commissioners, the certificates of  
14 nomination and nomination papers for candidates for such  
15 political subdivision offices shall be filed in the office of  
16 such Board.

17 (Source: P.A. 90-358, eff. 1-1-98; 91-317, eff. 7-29-99.)".